

# MAINE STATE LEGISLATURE

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# 132nd MAINE LEGISLATURE

## FIRST SPECIAL SESSION-2025

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Legislative Document

No. 1662

H.P. 1103

House of Representatives, April 15, 2025

**An Act to Amend the Laws Regarding Zoning and Land Use  
Restrictions to Limit Certain Requirements to Municipalities with  
Populations of More than 10,000**

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Reference to the Committee on Housing and Economic Development suggested and ordered printed.

A handwritten signature in cursive script, reading "R B. Hunt".

ROBERT B. HUNT  
Clerk

Presented by Representative SOBOLESKI of Phillips.  
Cosponsored by Senator MARTIN of Oxford and  
Representatives: CAMPBELL of Orrington, COLLINS of Sidney, PAUL of Winterport,  
SMITH of Palermo, Senator: BRADSTREET of Kennebec.

1       **Be it enacted by the People of the State of Maine as follows:**

2       **Sec. 1. 30-A MRSA §4364-A, sub-§1**, as amended by PL 2023, c. 192, §6, is  
3 further amended to read:

4       **1. Use allowed.** Notwithstanding any provision of law to the contrary, except as  
5 provided in Title 12, chapter 423-A, for any area in which residential uses are allowed,  
6 including as a conditional use, a municipality shall allow structures with up to 2 dwelling  
7 units per lot if that lot does not contain an existing dwelling unit, except that a municipality  
8 with a population of more than 10,000 shall allow up to 4 dwelling units per lot if that lot  
9 does not contain an existing dwelling unit and the lot is located in a designated growth area  
10 within a municipality consistent with section 4349-A, subsection 1, paragraph A or B or if  
11 the lot is served by a public, special district or other centrally managed water system and a  
12 public, special district or other comparable sewer system in a municipality without a  
13 comprehensive plan.

14       A municipality shall allow on a lot with one existing dwelling unit the addition of up to 2  
15 dwelling units: one additional dwelling unit within or attached to an existing structure or  
16 one additional detached dwelling unit, or one of each.

17       A municipality may allow more units than the number required to be allowed by this  
18 subsection.

19       **Sec. 2. 30-A MRSA §4364-A, sub-§2**, as amended by PL 2023, c. 192, §8, is  
20 further amended to read:

21       **2. Zoning requirements.** With respect to dwelling units allowed under this section,  
22 municipal zoning ordinances in a municipality with a population of more than 10,000 must  
23 comply with the following conditions.

24       A. If more than one dwelling unit has been constructed on a lot as a result of the  
25 allowance under this section or section 4364-B, the lot is not eligible for any additional  
26 increases in density except as allowed by the municipality.

27       B. A municipal zoning ordinance may establish a prohibition or an allowance for lots  
28 where a dwelling unit in existence after the implementation date is torn down and an  
29 empty lot results.

30       **Sec. 3. 30-A MRSA §4364-B, sub-§1**, as amended by PL 2023, c. 192, §12, is  
31 further amended to read:

32       **1. Use permitted.** Except as provided in Title 12, chapter 423-A, a municipality with  
33 a population of more than 10,000 shall allow an accessory dwelling unit to be located on  
34 the same lot as a single-family dwelling unit in any area in which residential uses are  
35 permitted, including as a conditional use.

36       **Sec. 4. 30-A MRSA §4364-B, sub-§1-C** is enacted to read:

37       **1-C. Applicability.** The requirements of this section apply only to a municipality with  
38 a population of more than 10,000.

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## **SUMMARY**

This bill modifies provisions of law governing zoning ordinances and placement of dwelling units and accessory dwelling units in residential areas by limiting certain provisions to apply only to a municipality with a population of more than 10,000.